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10/633,761	08/04/2003	Shun-Min Chen	7264	5125
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Samuels, Gauthier & Stevens LLP Suite 3300			BROWN, PETER R	
225 Franklin Street			ART UNIT	PAPER NUMBER
Boston, MA 02110			3636	
		DATE MAILED: 07/29/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Editations of time may be available under the provision of 3 CFR 1.13(4), in no event, however, may a reply be limitely filled If the period for reply specified above is less bits hirty (30) days, a reply white the statutory minimum of thirty (20) days will be considered limely. If the period for reply specified above is less bits hirty (30) days, a reply white the territy (20) days will be considered limely. If the period for reply specified above is less bits hirty (30) days, a reply white the form of the maining date of this communication. Failure to reply whithe its set or extended period for reply will, by statutory minimum of the maining date of this communication. Failure to reply white the set of extended period for reply will, by statutory minimum of the communication, even if timely field, may reduce any caused patent form adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filled on	·· ····	Application No.	Applicant(s)				
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Application/Control Number: 10/633,761

Art Unit: 3636

Claims 1,6,8,11,17,18 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 18, the phrase "pressed to cooperate the securing piece", is confusing and unclear. The same applies to claim 11.

Claims 6,17,18 as a whole are confusing in setting forth the safety lock and its function and cooperation with the other elements.

In claims 8 and 20, the phrase "with the arm each other", is confusing and unclear.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3,5,7,10-14,16,19 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Turner et al.

Figures 1-6 show structure as claimed, including an adjustable backrest with a guiding piece 84, an actuating piece 138, transmitting piece 148, sliding piece 132, and securing piece 122, which engages "flutes" 130,131 for securing the backrest at a predetermined angle.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Application/Control Number: 10/633,761

Art Unit: 3636

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al in view of Onishi et al.

To have formed the seat assembly of Turner et al with a plurality of recesses for allowing the backrest to adjust to several positions, such as is shown to be conventional by Onishi et al (fig. 7), would have been obvious to one with ordinary skill in the art, thereby increasing the versatility thereof.

Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al in view of Smitz.

The use of vertically adjustable trays for seats is old and well known in the art as shown by Smitz (fig. 1) and in view of this suggestion, to have provided such a vertically adjustable tray in place of, or in addition to, the tray of Turner et al, would have been an obvious modification to one with ordinary skill in the art, thereby allowing adjustment based on an occupant's size.

Claims 6,17 and 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Claims 9 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Poskin, Spector et al, Peterson, Young, Kato et al, Gregor et al show various features of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter R. Brown whose telephone number is 571-272-6853. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (tall-free).

Feter R. Brown Primary Examiner Art Unit 3636

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